

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY

The court mailed the Report and Recommendation to Plaintiff Brandon Johnson by certified and regular mail (Doc. #60). The mail was returned to the court on March 27, 2023, and marked "attempted – not known, unable to forward" (Doc. #61). Johnson has not responded to the Report and Recommendation, nor has he notified the court of a change of address. Having reviewed the Report and Recommendation along with the case file and applicable law, the court finds no plain error and accepts the Report and Recommendation for substantially the reasons stated therein. *See* FED. R. CIV. P. 72(b).

IT IS THEREFORE ORDERED that the United States Magistrate Judge's Report and Recommendation (Doc. #59) is hereby **APPROVED** and **ACCEPTED** by the court.

IT IS FURTHER ORDERED that Defendant Mercedes-Benz Financial Services USA LLC's Rule 54 Motion for Attorney's Fees (Doc. #56) is **GRANTED**.

IT IS FINALLY ORDERED that Defendant Mercedes-Benz Financial Services USA LLC is awarded attorney's fees and nontaxable expenses in the amount of \$15,871.50. To the extent Mercedes-Benz seeks conditional attorney's fees should Johnson appeal, such request is **GRANTED**, with any additional attorney's fees to be determined after resolution of any further appeals by Johnson.

SIGNED this 18th day of April, 2023.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE